

103^D CONGRESS
1ST SESSION

H. R. 980

To amend title II of the Social Security Act to require dependency as a condition of a stepchild's eligibility for child's insurance benefits, thereby preventing an insured individual's stepchildren from qualifying for such benefits on the insured individual's wage record (and thereby reducing the benefits of the insured individual's natural children) if the stepchildren are being supported by a natural parent, and to provide for termination of an individual's child's insurance benefits, based on the work record of a stepparent, upon the remarriage of the child's natural parent after such natural parent's divorce from such stepparent.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1993

Mr. JACOBS introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to require dependency as a condition of a stepchild's eligibility for child's insurance benefits, thereby preventing an insured individual's stepchildren from qualifying for such benefits on the insured individual's wage record (and thereby reducing the benefits of the insured individual's natural children) if the stepchildren are being supported by a natural parent, and to provide for termination of an individual's child's insurance benefits, based on the work record of a stepparent, upon the remarriage of the child's

natural parent after such natural parent's divorce from such stepparent.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REQUIREMENT OF ACTUAL DEPENDENCY FOR**
 4 **FUTURE ENTITLEMENTS.**

5 (a) IN GENERAL.—Section 202(d)(4) of the Social
 6 Security Act (42 U.S.C. 402(d)(4)) is amended by striking
 7 “was living with or”.

8 (b) EFFECTIVE DATE.—The amendment made by
 9 subsection (a) shall apply with respect to benefits based
 10 on applications filed after the month in which this Act is
 11 enacted.

12 **SEC. 2. TERMINATION OF CHILD'S INSURANCE BENEFITS**
 13 **BASED ON WORK RECORD OF STEPPARENT**
 14 **UPON REMARRIAGE OF NATURAL PARENT**
 15 **AFTER DIVORCE FROM STEPPARENT.**

16 (a) IN GENERAL.—Section 202(d)(1) of the Social
 17 Security Act (42 U.S.C. 402(d)(1)) is amended—

18 (1) by striking “or” at the end of clause (F);

19 (2) by striking the period at the end of clause
 20 (G) and inserting “; or”; and

21 (3) by inserting after clause (G) the following
 22 new clause:

23 “(H) if the benefits under this subsection are
 24 based on the wages and self-employment income of

1 a stepparent who is divorced from such child's natu-
2 ral parent, the month in which such natural parent
3 remarries.''.
4

5 (b) EFFECTIVE DATE.—The amendments made by
6 this section shall apply with respect to remarriages occur-
7 ring after the month in which this Act is enacted.

8 **SEC. 3. REQUIREMENTS OF DEPENDENCY IN THE CASE OF**
9 **EXISTING ENTITLEMENTS.**

10 (a) IN GENERAL.—For purposes of subsection (d) of
11 section 202 of the Social Security Act (42 U.S.C. 402(d)),
12 a child shall be deemed as not dependent upon his or her
13 stepfather or stepmother at the time specified in para-
14 graph (1)(C) of such subsection if—

15 (1) such stepfather or stepmother has been
16 married to such individual's natural parent for less
17 than the preceding one-year period, and

18 (2) such stepfather or stepmother has made no
19 substantial contribution to the support of such indi-
20 vidual during the preceding one-year period.

21 (b) EFFECTIVE DATE.—Subsection (a) shall apply
22 with respect to benefits under section 202(d) of the Social
23 Security Act for months after the date of the enactment
24 of this Act, but only if the application for such benefits
25 was filed in or before the month in which this Act is en-
acted.

